



W.P.No.16267 of 2025

IN THE HIGH COURT AT JUDICATURE AT MADRAS

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DATED: 02.06.2025

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.16267 of 2025

S. Srikumar

...Petitioner

Vs.

1. Executive Officer/Public Information Officer

Arulmigu Kapaleeswarar Temple,

Mylapore, Chennai – 600 004.

Email: jceochn 1.hrce@tn.gov.in

2. Regional Joint Commissioner/First Appellate Authority

Office of th Regional Joint Commissioner – 2

Chennai

Email: jcmrchn2.hrce@tn.gov.in

...Respondents

Writ petition is filed under Article 226 of the Constitution of India

praying to issue Writ of Mandamus, directing the first respondent to furnish to

the petitioner, the information sought for in their RTI Application dated

21.04.2023, free of cost within a time frame fixed by this Hon'ble Court and

pass orders.



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For Petitioner : Mr.S.G. Vadiraj Anirudha
For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader

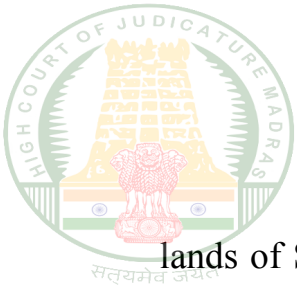
ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Mr.N.R.R.Arun Natarajan, Special Government Pleader takes notice for the respondents.

3. This Writ Petition is filed seeking for a Writ of Mandamus, directing the first respondent to furnish the information sought under RTI on 21.04.2023, at free of cost within the time frame fixed by this Court.

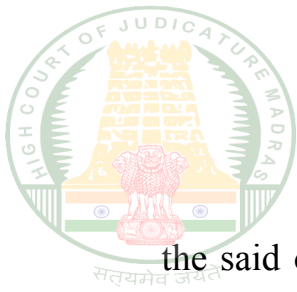
4. The petitioner submitted RTI application to the Regional Joint Commissioner-2, HR&CE Department, Chennai with respect to alienations of



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lands of Shri Kabaleswarar Temple, Mylapore. The petitioner's application was forwarded by the Regional Joint Commissioner-2, to the Executive Officer of the said Temple with a direction to provide information within a time limit. As there was no response from the Executive Officer the petitioner preferred a first appeal before the Regional Joint Commissioner-02 on 19.06.2023. The petitioner also sent a remainder mail to the Regional Joint Commissioner-02 on 05.08.2023. However, there was no response from the Regional Joint Commissioner-02. Therefore, the petitioner preferred second appeal before the State Information Commissioner, on 25.09.2023. As the second appeal was kept pending the petitioner approached this Court in W.P.No.26071 of 2024, seeking a direction to the first respondent, to furnish the information sought for by the petitioner in his application dated 21.04.2023, free of cost. The said writ petition was disposed with a direction to the fourth respondent therein namely the Tamilnadu Information Commission, to dispose of the petitioner's second appeal dated 25.09.2023, on merits and in accordance with law within a period of four weeks, from the date of receipt of a copy of this order. In compliance to



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the said order of this Court, the fourth respondent therein passed an order on 20.12.2024, directing the petitioner to provide particulars for item nos. 1 to 11 of the application with a further direction to the first respondent herein to furnish the information within 30 days, from the date of the receipt of the particulars received from the petitioner with regard to the details of the property.

5. The petitioner submitted the application on 26.01.2025, to the first respondent herein as directed in the order dated 20.12.2024 in the second appeal. Thereafter, the first respondent on 16.05.2025, sent a reply to the petitioner stating that the particulars with respect to item nos. 1 to 11 should be furnished and with regard to item no.12, it could be furnished only after the audit proceedings were completed. In view of the aforesaid reply, the petitioner was constrained to file the above writ petition for the above said relief.

6. The learned counsel for the petitioner submitted that the petitioner had given the particulars as sought for with respect to item nos.1 to 11 of the RTI



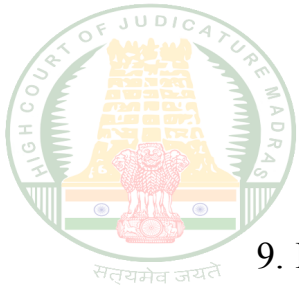
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application and also sought for the audit report and joint sitting report, but the respondents even without looking into the particulars as furnished by the petitioner, declined to provide the information. The counsel therefore prayed for a direction to the respondents to furnish the information as sought for by the petitioner in the RTI application dated 25.04.2025, free of cost.

7. The learned counsel for the respondents submitted that the petitioner had earlier filed a writ petition in W.P.No.26071 of 2024 for the very same relief and therefore, the present writ petition had no merits and ought not to be entertained. The learned counsel further submitted that the petitioner failed to provide the particulars with respect to item nos. 1 to 11 and therefore, the information sought for could not be furnished. As regards the audit report and joint sitting report, the learned counsel submitted the same was not prepared and it would take atleast three more months for the report to be ready.

8.I have heard both the learned counsels and perused the materials placed on record.



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9. In so far as the objection of the learned counsel for the respondents on the maintainability of the writ petition is concerned, in my opinion, in view of the order passed by this Court in W.P.No.26071 of 2024, the same cannot be endorsed. It is seen that this Court disposed the above said writ petition on 09.09.2024, directing the 4th respondent therein i.e., The Tamilnadu Information commissioner, to dispose of the second appeal filed by the petitioner on 25.09.2023, within the time limit stipulated therein, on merits and in accordance with law. It was in pursuance of the said Court order, The State Information Commissioner, in the second appeal, passed an order on 20.12.2024, directing the first respondent, to furnish the information sought for by the petitioner with regard to item nos. 1 to 11 of the application, by obtaining the particulars from the petitioner and with regard to item no.12, directed to furnish the information within 30 days.

10.It transpires that the petitioner in his letter dated 26.01.2025, submitted the particulars regarding the alienation of the temple lands to Ramakrishna Mission and Chennai Metro Rail Limited, by the Government officials. The



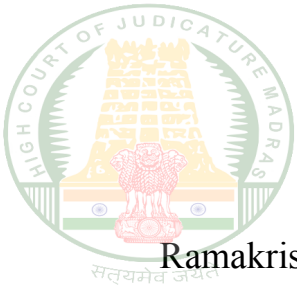
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petitioner also sought the latest audit report and joint sitting report. However, the respondents did not furnish the information on the ground that the petitioner failed to provide the required particulars. As rightly contended by the learned counsel for the petitioner, the petitioner in his letter specifically referred to the alienation of the temple lands to Ramakrishna Mission and Chennai Metro Rail Limited and sought for information regarding the same. Therefore, the contention of the respondents that the particulars sought for with regard to items 1 to 11 were not furnished and hence the information could not be provided cannot be accepted.

11. In so far as the latest audit report and joint sitting report is concerned, the learned counsel for the respondent submitted that the same was not ready and it would take atleast 3 more months, to prepare the said report.

12. In view of the above facts, a direction is issued to the first respondent to furnish the information regarding the alienation of the temple's lands to



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Ramakrishna Mission and Chennai Metro Rail Limited, to the petitioner within

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a period of four weeks from the date of receipt of a copy of this order. In view of the submission made by the learned counsel for the respondent that it would take three months for preparation of the audit report, a direction is issued to the respondents to furnish the audit report and joint sitting report to the petitioner within a period of four weeks, from the date the report is prepared and made ready.

13. Accordingly this writ petition is disposed of. However, there shall be no order as to costs.

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Index: Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No



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To.

1. Executive Officer/Public Information Officer
Arulmigu Kapaleeswarar Temple,
Mylapore, Chennai – 600 004.

2. Regional Joint Commissioner/First Appellate Authority
Office of th Regional Joint Commissioner – 2
Chennai



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N.MALA,J.

smn

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